

REMARKS

By this Amendment, Applicants have amended claims 14, 15, 25, 27, and 28. Upon entry of this Amendment, claims 14-22 and 25-35 remain pending and under current examination. For the reasons presented herein, Applicants traverse the rejections and objection set forth in the Office Action¹, wherein the Examiner:

- (a) rejected claim 25 under 35 U.S.C. § 112, second paragraph, for indefiniteness;
- (b) rejected claims 14 and 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,638,487 ("Chigier") in view of U.S. Patent No. 5,317,673 ("Cohen");
- (c) rejected claims 15, 17, 28, and 30 under 35 U.S.C. § 103(a) as being unpatentable over Chigier in view of Cohen as applied to claims 14 and 27, and further in view of U.S. Patent No. 4,489,434 ("Moshier");
- (d) rejected claims 16 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Chigier in view of Cohen and Moshier as applied to claims 15 and 27, and further in view of U.S. Patent No. 4,379,949 ("Chen");
- (e) rejected claims 18, 19, 31, and 32 under 35 U.S.C. § 103(a) as being unpatentable over Chigier in view of Cohen and Moshier as applied to claims 15 and 27, and further in view of U.S. Patent No. 6,064,958 ("Takahashi");
- (f) rejected claims 20 and 33 under 35 U.S.C. § 103(a) as being unpatentable over Chigier in view of Cohen and Moshier as applied to claims 15 and 27, and further in view of U.S. Patent No. 6,801,895 ("Huang");
- (g) objected to claims 21, 22, 34, and 35 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims; and
- (h) indicated that claims 25 and 26 contain allowable subject matter, but are not allowable because of the 35 U.S.C. § 112, second paragraph rejection.

Rejection of Claim 25 under 35 U.S.C. § 112, Second Paragraph:

The Examiner rejected claim 25 under 35 U.S.C. § 112, second paragraph, for indefiniteness, specifically stating that "the claim scope also allows for [skipping] one non-

¹ The Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

specific frame between non-consecutive frames separated by 2 or more frames.” Office Action, pp. 2-3. In response, Applicants have amended claim 25 to recite “. . . skipping a run of the neural network corresponding to each of the frame or frames between said first and second non-consecutive frames” This amendment is consistent with the Examiner’s interpretation of this claim and therefore overcomes the 35 U.S.C. § 112, second paragraph, rejection. *See* Office Action, p. 3. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 25 under 35 U.S.C. § 112, second paragraph.

The Examiner admitted that claims 25 and 26 contain allowable subject matter, but were not allowable due to the § 112 rejection. *See* Office Action, p. 12. Because the § 112, second paragraph, rejection of claim 25 has been overcome, Applicants respectfully request allowance of claims 25 and 26.

Rejection of Claims 14 and 27 under 35 U.S.C. § 103(a):

Applicants request reconsideration and withdrawal of the rejection of claims 14 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Chigier in view of Cohen. In response, and without conceding to the allegations in the Office Action, Applicants have amended independent claims 14 and 27 to include subject matter that the Examiner deemed allowable. In his reasons for the indication of allowable subject matter, the Examiner noted that:

[t]he prior art of record does not teach skipping runs of the neural network corresponding to all frames between the first and second non-consecutive frames when a distance between a first and second likelihood, where the two likelihoods are obtained by a neural network, is lower than a threshold, and then calculating the frame or frames between the first and second non-consecutive buffered frames. Office Action, pp. 11-12.

Therefore, amended claims 14 and 27 should be allowable, at least because neither Chigier nor Cohen, taken alone or in combination, teaches or suggests:

. . . calculating, by means of said neural network, a first and a second likelihood corresponding to a first and a second non-consecutive frame;

evaluating a distance between said non-consecutive frames;

comparing said distance with a predetermined threshold value;

selectively skipping one or more runs of the neural network in correspondence to each frame between said first and said second non-consecutive frames when said distance is lower than said threshold value;

calculating a likelihood or likelihoods corresponding to each frame between said first and second non-consecutive frames

(amended independent claim 14, emphases added, with similar recitations in amended independent claim 27).

In view of the reasoning presented above, Applicants submit that independent claims 14 and 27 are not obvious over Chigier and Cohen, whether taken alone or in combination.

Independent claims 14 and 27 should therefore be allowable. Accordingly, Applicants request the withdrawal of the 35 U.S.C. § 103(a) rejection of claims 14 and 27.

Regarding the Remaining 35 U.S.C. § 103(a) Rejections:

Applicants request reconsideration and withdrawal of the remaining rejections of claims 15-20 and 28-33 under 35 U.S.C. § 103(a) over various combinations of Chigier, Cohen, Moshier, Chen, Takahashi, and Huang.

As discussed in the previous section, Chigier in view of Cohen does not render obvious Applicants' independent claims 14 or 27. The additional cited references, Moshier, Chen, Takahashi, and Huang, taken alone or in any combination, do not teach or suggest each and every element of independent claims 14 and 27, and thus fail to cure the deficiencies of Chigier in view of Cohen previously discussed.

For at least the above reasons, Applicants' dependent claims 15-20 and 28-33 are nonobvious and should therefore be allowable, at least due to their respective dependence from allowable base claim 14, 25, or 27, each of which containing subject matter the Examiner indicated is allowable. Applicants therefore respectfully request withdrawal of the remaining 35 U.S.C. § 103(a) rejections of claims 15-20 and 28-33.

Objection to Claims 21, 22, 34, and 35:

The Examiner objected to claims 21, 22, 34, and 35 as being dependent upon a rejected base claim, but indicated that they would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. *See* Office Action, p. 11. In view of the reasoning presented in the previous sections, establishing that claims 14, 25, and 27 each contain subject matter the Examiner indicated is allowable, Applicants request withdrawal of this objection and note that dependent claims 21, 22, 34, and 35 are allowable at least due to their respective dependence from allowable base claim 14 or 27.

Conclusion:

Applicants request reconsideration of the application and withdrawal of the rejections. Pending claims 14-22 and 25-35 are in condition for allowance, and Applicants request a favorable action.

If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

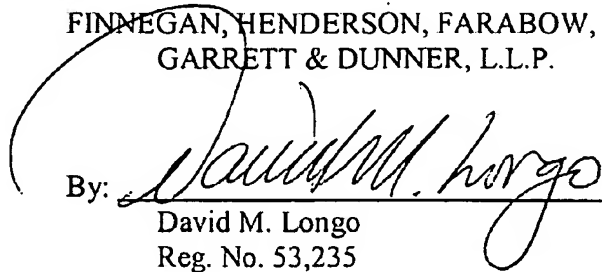
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 12, 2009

By:

A handwritten signature in black ink, appearing to read "David M. Longo", is written over a horizontal line. The signature is fluid and cursive.

David M. Longo
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